

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**THE UNITED STATES LIFE
INSURANCE COMPANY IN THE CITY
OF NEW YORK,**

Plaintiff,

v.

**ROGER DOBROVODSKY, as Trustee of
EDU HOLDING TRUST D/T/D 3/22/2013,**

DAVID W. GARRISON,

ROBIN RISMILLER, and

JANE AND JOHN DOES 1-100,

Defendants.

Case No. 1:22-cv-00259-RP

**THE UNITED STATES LIFE INSURANCE COMPANY
IN THE CITY OF NEW YORK'S MOTION TO DEPOSIT FUNDS**

COMES NOW, Plaintiff The United States Life Insurance Company in the City of New York ("US Life"), by its undersigned attorneys, and pursuant to 28 U.S.C. § 1335(a)(2) hereby moves for an Order from the Court to tender to the Clerk of the United States District Court, Western District of Texas, the sum of **\$5,000,000, plus accrued interest** (the "Sum"), for deposit into the Court's Registry. In support thereof, US Life states as follows:

1. The Sum represents the death benefit, plus interest as required by law, payable pursuant to US Life insurance policy number 3001548L issued to the late Carol Green (the "Policy").

2. US Life requests an Order to deposit the Sum because there exists actual or potential rival, adverse, and conflicting claims to the death benefit described above, and US Life

is unable to discharge its admitted liability without exposure to multiple liability, multiple litigation, or both.

3. US Life now faces competing and inconsistent obligations with regard to the disposition of the death benefit payable under the Policy.

4. Upon receipt of the Sum, the Clerk of Court is requested to deposit the sum into the Disputed Ownership Fund (DOF) of the Court Registry Investment System (CRIS) until such time as the Court makes its order directing disbursement and distribution of these funds. A proposed order is enclosed herewith.

5. WHEREFORE, US Life respectfully requests that this Court enter the enclosed order allowing US Life to deposit the Sum with the Clerk of the United States District Court for the Western District of Texas for deposit into the Disputed Ownership Fund (DOF) of the Court Registry Investment System (CRIS) until such time as the Court makes its order directing disbursement and distribution of these funds.

Dated: March 28, 2022

Respectfully submitted,

BRESSLER, AMERY & ROSS, P.C.

/s/ Donald R. Littlefield

Donald R. Littlefield

Texas Bar No. 12427350

dlittlefield@bressler.com

3700 Buffalo Speedway, Suite 1020

Houston, TX 77098

Tel.: 713-403-6400

Fax: 713-403-6410

Attorneys for Plaintiff

The United States Life Insurance

Company in the City of New York

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served on Defendants on March 28, 2022 as follows:

VIA U.S. MAIL

Roger Dobrovodsky
8355 Rockville Road, Suite 130
Indianapolis, IN 46234

VIA E-MAIL

Shari P. Pulman, Esq.
Pulman, Cappuccio & Pullen LLP
2161 NW Military Highway, Suite 400
San Antonio, TX 78213
spulman@pulmanlaw.com

Counsel for Defendant David W. Garrison

Kevin Alerding
Alerding Castor LLP
47 S. Pennsylvania Street
Suite 700
Indianapolis, IN 4620
kalerding@alderdingcastor.com

Counsel for Defendant Robin Rismiller

s/ Donald R. Littlefield

Donald R. Littlefield